

REMARKS

Claims 1-3 and 6-8 are pending in this application. By this Amendment, claims 1 and 6 are amended to distinguish over the cited references. No new matter is added by this Amendment. Support for the language added to claims 1 and 6 can be found throughout the specification, for example at page 4, fourth full paragraph.

The courtesies extended to Applicants' representative by Examiner Evans at the interview held July 27, 2006, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicants' record of the interview.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance (for the reasons discussed herein); (b) do not raise any new issue requiring further search and/or consideration (as the amendments were recommended by Examiner Evans during the July 27, 2006 interview); (c) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (d) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to a suggestion raised by Examiner Evans during the July 27, 2006 interview. Entry of the amendments is thus respectfully requested.

I. Allowable Subject Matter

Applicants note with appreciation that claims 3, 7 and 8 include allowable subject matter.

II. Rejections Under 35 U.S.C. §103(a)**A. Inoue in view of Briffod**

Claims 1 and 6 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 4,393,292 ("Inoue") in view of U.S. Patent No. 4,134,807 ("Briffod"), or as allegedly being unpatentable over Briffod in view of Inoue. These rejections are respectfully traversed.

The Patent Office alleges that Inoue teaches a method and apparatus for machining a passage through a work piece using a hollow electro discharge machining electrode and a corresponding flushing agent supplied via the hollow electrode, wherein a discrete backing member is allegedly positioned abutting a face of the work piece. The Patent Office further alleges that Briffod allegedly teaches a backing member that abuts the entire breakthrough region. The Patent Office thus alleges that it would have been obvious to adapt Inoue in view of Briffod to provide such support to the work piece.

In the alternative, the Patent Office alleges that Briffod teaches an apparatus for performing discharge machining with a slide of a table abutting a face of the work piece, while Inoue teaches machining a passageway through a work piece supported by a flat work table. The Patent Office thus alleges that Briffod may be modified according to the teaching of Inoue to achieve the method and apparatus for electro discharge machining a passage through a work piece as recited in the present claims.

Applicants respectfully disagree with the Patent Office's allegation that Inoue and Briffod, in combination or alone, teach or suggest all of the features recited in claims 1 and 6.

During the July 27, 2006 interview, Examiner Evans suggested amending claim 1 to recite that at breakthrough of the electrode through the work piece, the backing member is locally deformed so that the path of the flushing agent is not disrupted, and amending claim 6 to recite that the backing member is made of a material that locally deforms upon

breakthrough of the electrode. To expedite the prosecution of this application, Applicants have amended claims 1 and 6 as suggested by Examiner Evans.

As such, Applicants submit that Inoue and/or Briffod do not teach or suggest that at breakthrough of the electrode through the work piece, the backing member is locally deformed so that the path of the flushing agent is not disrupted, as recited in claim 1, and do not teach that the backing member is made of a material that locally deforms upon breakthrough of the electrode, as recited in claim 6.

For the foregoing reasons, Applicants submit that Inoue and Briffod, in combination or alone, do not teach or suggest all of the features recited in claims 1 and 6. Reconsideration and withdrawal of the rejection are thus respectfully requested.

B. Inoue in view of Briffod, and further in view of Tanaka

Claim 2 was rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Inoue in view of Briffod, and further in view of U.S. Patent No. 5,004,530 ("Tanaka"). This rejection is respectfully traversed.

The Patent Office introduces Tanaka as allegedly teaching that the backing member is positioned such that it forms a fluid tight seal with the work piece, as recited in claim 2. However, Tanaka does not remedy the deficiencies of Inoue and/or Briffod. Specifically, Tanaka does not teach or suggest that at breakthrough of the electrode through the work piece, the backing member is locally deformed so that the path of the flushing agent is not disrupted, as recited in claim 1.

For the foregoing reasons, Applicants submit that Inoue, Briffod and Tanaka, in combination or alone, do not teach or suggest all of the features recited in claim 2. Reconsideration and withdrawal of the rejection are thus respectfully requested.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-3 and 6-8 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Leana Levin
Registration No. 51,939

JAO:LL/hs

Date: August 2, 2006

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE
AUTHORIZATION
Please grant any extension
necessary for entry;
Charge any fee due to our
Deposit Account No. 15-0461